L.R
(1891-92)

175-91
163

Ls- Appel of Rangamma of
Hadinagere grama Ranjangadd
Taluk - re-the Inam lands
attached to the Chennagaraya
Swamy Temple

P.J 144-92

G. R. S. IX-5]

Previous references.

1891-92.
192.
(L.R)

File No. 175

Serial Nos. 1-3

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—3.

Part B for March 94.

SUBJECT.

Appeal of Rangumma of Hadenaru grama Nanjangud attached
Talorth re the Inam lands ~~attd~~ to the Chennigaraya swamy
Pagoda.

To.

The Munsiff of Nanjangud

1-3. 15944 of 22-3-94.
P.J 144-92 Forward certain records in
Connection with the Case -

Indexed
MK.

WD 2253—GPB—20,000—14-6-20

1

Memo of correspondence relating to the land attached to the Veerungo-nayasvami temple at Kadiravan village, Chingleput Taluk.

On the 28th December 1890, Advocate Sri Raja-rachar presented a petition to the Deputy Commissioner, on behalf of Rangammal wife of Veeriamanbhatta, stating that she is the wife of the Pujary of the said temple & besides the emoluments 5 annuities of land were formerly granted as Jodi, and that during the Dessai Settlement of about 10 years ago, the lands were resumed by Government and given to the Pujari's husband on full assessment on the ground that the temple was not kept in good order. That

14, 006, 026 ~~006~~, 000
7/8, 38, 436 & 39

time the trifle lost all its rights in the land and the petitioner's husband became the owner. While the circumstances were such the Headman had attached the produce of the lands which procedure was illegal as the petitioner's husband had conveyed these and also some of the lands to the petitioner under a registered document for consideration. — the Headman ought to be ordered to release the produce.

His petition was forwarded for disposal to A. M. Mahamood Ali, Assistant Commissioner, with report No 213 dated 28 December 1896, who said if the Headman for extension of the will proceedings during the Jaffna visit time

The Headman in

Rajah dated, in his reply
No 525 dated 30th January
1891, that when these cases
were reported and fully
assessed by the Assistant
Superintendent the Villagers
requested that, as there
were no separate managers
of the temple, the Patta
these cases might be made
in the name of the Rajah's
and that they would gratuitously
supervise the affairs of the
temple. The Superintendent
of the district also gave a
representation stating that
he would repair the
temple and as Rajah of the
deity and which he
pointed out that the
cases might be remitted
to Government. Regarding
the Patta of these lands was
made in the Rajah's name
as per circular order.
The Rajah mentioned
in the Village and no
Puja was being done

duty with the temple not being in good order. The insurance ticket was attached and kept with the agent. Thus while the Agent himself had no right to the cards, how could his wife being three from him. The Caterpillar card was made in the name of the Agent mainly for the due payment of the assessment, the auxiliary thought that the insurance could not be released from attachment until the temple was left in good order and the Agent suffered regularly.

The assistant Commissioner asked the auxiliary to explain the conclusion obtained at the time framing the Letter of the card in the name of the Agent as it was not in the file. The auxiliary said that the said

2. 15

duchaikar was written on the margin of the Karanjia court copy which was already in the file.

Thereupon the Assistant Commissioner said in his order, dated 27th February, 1891, that the lands were ceased to Government and fully accepted long ago; that ever since the Raja was enjoying the lands paying the kanungoi and that therefore the attachment of the produce made by the amildar on the ground that the temple was not in good order was not reasonable and that produce should at once be released from attachment. The amildar however, again stated his case in writ on 2nd April 1891 and added that he had requested the

Deputy Commissioner to
send circular letter No
49 dated 19th January 1867
issued on the subject issuing
patta for such lands and
that if the produce attached
be released measures
Tahsildar would similarly
apply and regret Rupee to
Collector Collectorate -

Inquiry with the
Assistant Commissioner
said that the alleged
discrepancy was not
finally settled yet
complaint to be lodged
in Court, and so it should
be ascertained whether
this transaction had
duly obtained any
Power of Attorney from the
Tahsildar, if not whether
the use of this name
unauthorised means not
at all connected with the
temple - No circular letter
above said, should be
transmitted to -

9

Submitted

Further note

Kul war chittah no. 87
for the year Durmathi
(1861-62). was transferred
from the name of
Arehik Giriyappa to
Kat of Ramgappa.

At the end of the chittah
in the name of Giriyappa
for the year is remarked
to the following effect in Kan.

total Jamabandi of
nos: 526, 718, 141, 505, 560,
38, 136, & 251, is 17 " Kul.
This man (Giriyappa)
had come from the
village of Heresi to the
Kumpani Nelam. He was
the Arehik of the Kumpa-
nee sarcar Hamsle. He
went back to his place.
Ramgappa represented that
that he should be allowed
to do Pooja & report was
submitted to the Kittur
Order no: 116 of 1860 Nov.

been received by him (Lands) in the name of the Circle. Name the Transfer -

A Corresponding remark appears at the commencement of the Chittah (1887) in the name of Kanakka for the year. The Lands are mentioned as the "Shall pay Lands of the temple".

Extract from the Kanomi Jesti Book of 1881-82 contains the following particulars -

Sri Nanaya Avadi of the Chennigarayan Nomi temple - pay Lands of the temple - have been received by Govt. under Orders from the Dewan - No: 129 giving Cover to the Inam Supdt's Register. In accordance with Order No: 180 the Inam Lands were for last year only returned in the accounts in the name of the person in whose enjoyment they were, and the Kanakkayam was collected. It was so done because the Jamabandi had been finished.

Kandayan should be
permanently fixed
from this year.

Kandayan Localities
1/12/2.
28/3/0

Total Rs: 29/15/2

The above is perhaps
the statement of particulars
furnished by the Sanitary Chief
for the information of
the Municipality who after
making an inquiry
according it by the
Side of the Sharia Chiefs
Statement of facts
have an order granting
the Petition to be transferred
to the Revenue of Sani-
tary Wards for the
City. Kalpandu
Patel Ranga Pandu
Others stated as follows
before the Municipality
Except Arcot
Sanitary Wards there is
no other Municipality for
this temple. In view
that the Deity & the temple
may be looked after

property, they (the
Priest like Lords) say
that if the Puttu be
made in his (Srini-
vas Chetti) name
they would supervise
(the affairs).

Srinivas Chetti,
the brother-in-law of
Srinivas Chetti signed
a declaration to the following
effect —

"I have agreed on behalf
of my brother-in-law
to worship the Deity &
to keep the temple in
repair, failing which
the lands will be given
up to Govt: "

Muttaya Reddi Mercara —
"Upon the condition
mentioned in letter
dated 17th January 1881
addressed from
Rd: Hig Resident Mercara on
the subject the Puttu
should be entered in
the name of Arcotte
Srinivas Chetti for
the Deity."

Sd/ Kushalappa
Muttaya

× worshiping the
Deity & doing
other things
(vide Muttaya
agreement No. 2
10-4-91).

The Guild does represent more than one that the Lands were given not to the Petitioner or her predecessors but to the Temple — the Wg Com: passed the following Order at first —

"Whether the Talukh authorities here justified in not in recognising as the holder instead of the temple the Guildar is not justified in keeping the matter so old. The attachment is null & void. The villagers should be referred to proper tribunal

Sd. A. K.

D/ 5.10.94

On this the following fresh order was passed —

" Fresh order

When I passed the last order on the 5th October the fact that the Lands were registered in the

Name of the Trustee
on behalf of the Temple
& on his under-
standing that the Temple
Property be kept in repair
and that Rs. 100 per Mensem
be recommended when
not brought to my notice.
I have now seen the
Original entries in the
Kacchi Jamabandi book
of 1881-82 bearing on the point
and have no doubt that
Mr. Sathaye's claim to
for the Temple & Garden
Independent right. His
alienation in favour of
his wife & her claim
cannot be recognised.
The attachment of the produce
by the Mamlatdar is upheld
& the petition of Rangnath mana-
is rejected".

Sd. AR

Dt/ 20th October 1891.

11

15

Re Sea Pulla Land
is now resumed
because Mr Puja is not
performed.—

Supposing Pagoda made
a Dattak to Mama Pulla?
Can he enfeoff whom?
Is there not a Civil question?
Can Pulla Land be
resumed for any grounds
other than that of non-performance
or escheat?

MC

Mr Sec
=

Hearing 28th Sept 1892
Sept
23/5/92

Petition
Advanced to 18th August 92

92
5/7/92

Respdt
Mr
2/11/5

16

16

No 179 of 1891

Appt

Ranganna

of Hadnarpanna

Nanjangode Taluq

Mysore Dt

X

X

K K P.

No 14 – 12 – 3 ✓

585 – 2 – 9 ✓

526 – 6 – 0

560 – 4 – 2 ✓

710 – 2 – 8 ✓

388 – 14 – 3¼

136 – 8 – 0

2 – 10 – 3¼

asst

24 – 10 – 3

N. Incm of the Pagoda of Channegarayaswamy ~~was~~ was ordered to be assessed by the Incm Comrs as ~~the Pagoda was out of repair~~ was found to be invalid. Accordgly in 1881–82, the Incm was fully assessed & a Pulla was issued in the husband of N. Pattamma who was the Pujari of the Pagoda, her brother-in-law having on her behalf agreed to keep the Pagoda in repair & carry on the worship – In 1890, the Pr'o husband sold the land in her. In 1891 the villagers complained ~~that~~ against the alienation of the land that the Pr'o husband was not doing the Puja, & requested that the land might be made over

Upon this appeal being filed the produce under attachment appl to them. After a long correspondence appeared. After a long correspondence — the Dy Const finally decided in October 1891 that the produce should continue under attachment, that the appt's husband was merely a trustee for the Pagoda, & that he had no right to alienate the land in favor of his wife. — The present appeal is against this order.

The Records do not show that appt's husband agreed to any conditions upon which the Patta land was to be held. His brother-in-law agreed on his behalf, but it is not in evidence whether he had proper authority to give the consent he gave. Whatever may be the conditions upon which the Patta was issued there is no law under which the Dy Const can summarily place the produce under

18

attachment. A Pullo
land or its produce can
only be attached for
arrears of Revenue, &
there is no plea of non-payment
of rent in this case. — The
produce must be released
from attachment. any
one interested in the Pagoda
may bring a suit in a Civil
Court for the proper appropriation
of the Produce for the benefit of
the Pagoda —

M.J.
20/7/92

Rest

The Dy Collr has been
requested to release
the produce from
attachment

M.J.

19

(1) Stamp Correct.

(2) Appeal in time

(3) Copy of order produced

(4) Cl. 5 Rule I of the Rent Rules

Submitted for Commt

28/2

21

22/2/92.

(General Serial No. 32.)

189 .

No. 3016. (2)

Name of Petitioner.

Kangama

Village.

Hadinam

Taluk.

Nemmangood

District.

Trichy

Date of Arzi.

8-1-92

Date of Receipt.

15-1-92

Date of Disposal.

No. of Enclosures.

Two.

ABSTRACT.

Petitioner submits th
lands in ~~Pa~~ Patta No
the ancestral pro-perty
the petitioner's husban
which were in his enjoy
legally proceed into th
of the petitioner and
continued to enjoy thes
after praying Kandou
But, some time ago, the
-dar of Nemmangood
attached the lands and
produce on the ground
they belonged to Kaha
-Swami temple.

Thereupon the petitio
appealed to Mr. Ineil
-John and her Exce
by this order, refused

General Assistant
ner who after enquiring
directed the Amildar
put the petitioner in
ession of the said land
their pro-duce. This was not
ed forth-with.
Thereforé the petitioner applied again
Deputy Commr who on
the petitioner's order
13 herein enclosed, informing her
~~petitioner~~ that the Amildar had been directed
~~by~~ (District order No 460)
~~Amildar was directed~~
put the lands in her possession
time also the Amildar
not carry out the order.
n the meantime the
puty Commr in Camp
n Circuit Came to
ngaon when the Amildar
presented to him that the
titioner's brother had in fact
~~omitted~~ a mechalika that
lands in question belonged
the Temple, and that the
titioner had no claim to
m &c. Then the Deputy-
mmr without Considering
e fact whether could possibly
ve any title to the property
ther husband or the latter
that of the former passed
der No 207 dated 14-12-95,
reversing the above
ler and Confirming the

15

attachement on the
ground that the the
Kamejaeli suite of 81-
-82 proved that the ~~Petitioner~~
Khateda
~~Captain~~ of the lands in
question is an archiect
of the temple, he hereto
independent and only
"Hack" to the lands.

The petitioner appeals
against this order on
submits:—

(1) that from a very long
time the lands have been
in her husbands and
subsequently in her
enjoyment, that ~~till~~
since the Inam Settlement
~~Settlement~~ a sum of Rupees
Two being annually paid
to Government for the
lands, and ~~to~~ the Inam
Settlement ~~of that year~~
~~a sum of Rs 2 was paid~~
~~on the lands and suits~~
~~given~~;

(2) that her husband has
neither given Petitioner
~~Inam~~ regarding the lands
nor has he made over
his right to anybody
in any manner. And
finally Petr
finally prays that

Worships —

X The Inam has
attached & re-
-sumed, and
the lands were
subjected to pay-
ment of the full
assessment of
Rs 32/ which has
been levied
until now from
the Petr.

accord may be refused
to her claims ~~to~~ recognized
and the ~~and~~ lands and
produce ~~to~~ fail in her
possession.

Endorsement No. 207
dated 19-12-91 issued
to the petitioner.

Regarding your
Petition dated 17-12-91
you are hereby informed
that order No. 460 dated
22nd October 91 has been
issued to the middleman to
the following effect:-

"As the Kanipatti-
puthi of 81-82 from the Khaideen
~~Khalandar~~ of lands
in question to ~~the~~ the Archik of the temple,
~~received~~ he is not independent
and entire Khaideen.
His transferring them to
his wife's name and
the claim thereof
cannot be recognized.
Therefore your attachment
of the produce is confirmed
and her objections are
ruled ~~under No. 460~~
"

Sold
K.K.

Endt. No. 2139 28.10.91.
The petitioner is informed that the
Amildar has been told that
it is not proper on his part to
transfer at this distance of time
by whether the lands belonged to

23

Before the Government of *His Highness* the Maharaja of Mysore.

(8)

Appeal No. 179 of 1891.

Appellant. Vs. Respondent.

Rangamma of
Nadinam Grama,
Ranjangad Taluk,
Bijapur Dist.

Decision dated 20th April 92

As shown noted in the margin

No 14	A. G. P.	Rs	of the Pujaris
" 505	" 12	3. Rs 9-2-6.	of Chennigarayaswamy
" 526	" 2	9. " 2-1-6.	inam was ordered to be
" 560	" 6	" " 2-12-10.	resumed by the
" 718	" 4	2. " 4-13-5.	Inam Commissioner
" 38	" 2	" 2-4-1.	as the Inam
" 136	" 4	8-10. " 2-4-9.	was found to be
" 25	" 1	" 1-4-1.	
	" 3	7-10	
2-10-10¼.	Rs 28	"	
		11-2	

invalid. Accordingly in '88-'89, the Inam was fully assessed & a Patta was issued to the hereditary Pujari. Both the Pujari of the Pagoda, his brother-in-law having on his behalf agreed to keep the

Pagoda in repair and carry on the worship. In January 91, the Petta landlord sold the land to Ar. Sin 92, the villagers complained that the Petta landlord was preventing the Puja, requested that the land might be made over to them. Upon this, the Minister fined the produce under attachment. Appl. appealed. After hearing correspondence the Dy. Commr finally decided in Petta's that the produce should continue under attachment, that the Appl's landlord was merely a trustee to the Pagoda, & that he had no right to alienate the land in favor of the appl. The appeal is against this order.

2. The Record does not show that Appl's landlord agreed to any conditions upon which the Petta land was to be held. The kattubadi-kanakku agreed on his behalf, but is not in evidence & neither he had from authority to give the consent he gave. Whatever may be the

conditions

conditions upon which the Patta was issued, there is no law under which the Govt can summarily place the produce under attachment. A Patta holder or its produce can only be attached for arrears of Revenue, & there is no plea of non payment of assessment in this case. The produce must be released from attachment. Any one interested in the Pagoda may bring a suit in a Civil Court of competent jurisdiction for the proper appropriation of the produce for the benefit of the Pagoda.

"By Order."

Chief Secretary.

Copy to the Govt Agent Coimbatore with the papers sent with this No 16 of 18th Jan 1892.

By Order.

Chief Secretary.

(General Serial No. 31.)

1894.

From The Chief Secretary, to the Premier of Queensland

To The Premier of Queensland

Dated 22

Despatched 23rd March /94

Received

Enclosures No. 1 & 1 file of correspondence

General No. 15944

Ref No. 44-92

Her Excellency's No 1430 of 16th Feby 1894

I forward herewith as requested, for reference and consideration when no longer required, the accompanying papers relating to the appeal of Rangamma & Hadimanu Gramma, Ranjanagud Taluk (appeal sent No 179 of 1893 before Court), and state that the necessary records received from the Respondents have been returned to their Agent

Brisbane 23/3/94

Premier

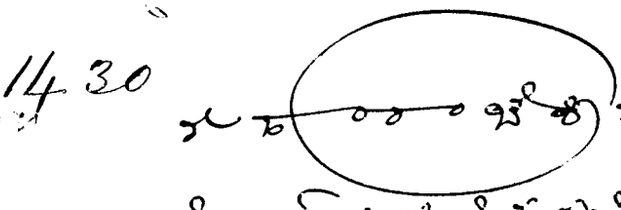
mk

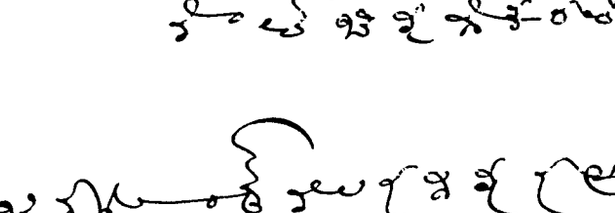
Under instruction,

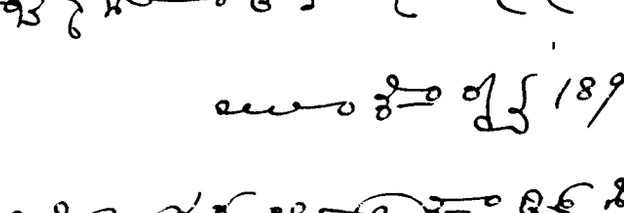
27

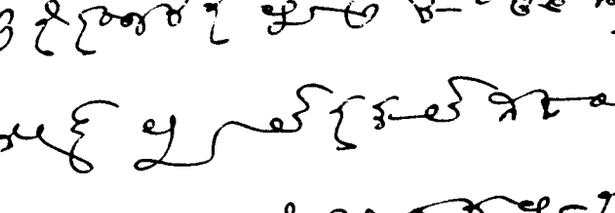
205

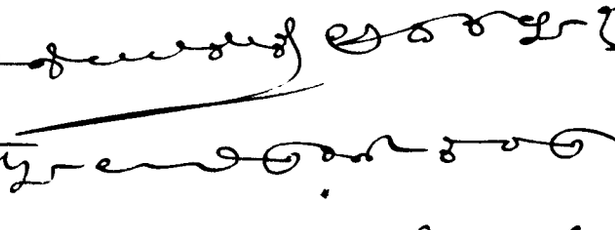
No. 1430

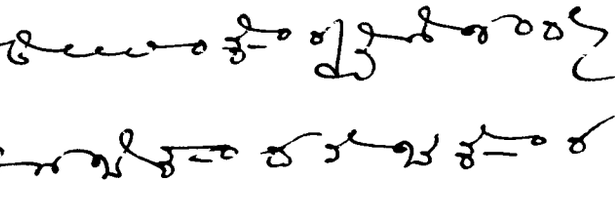


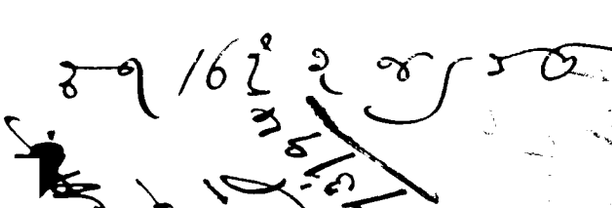


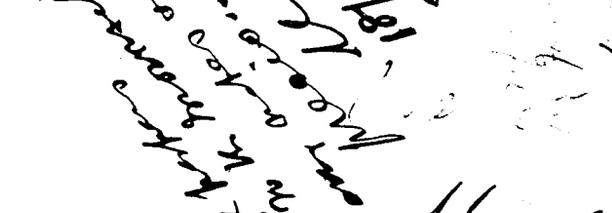


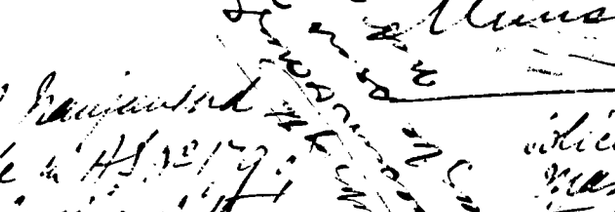


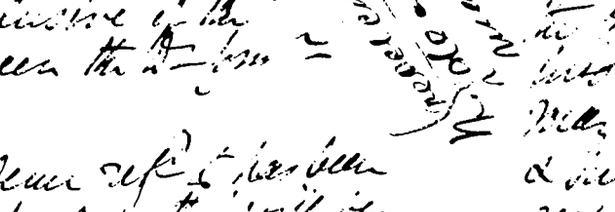


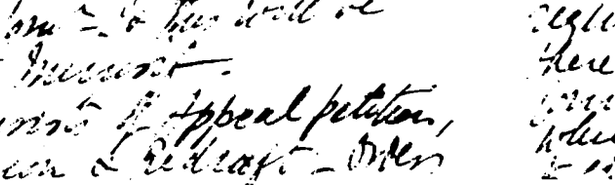












Submitted

The Assistant of Registrar may
issue in the suits file in H.S. No. 1/93 &
1894 before first instance & the
correspondence between the Assn &
Architect.

The correspondence after then
referred to the Assn & then will be
intimated to the Assistant.

Then file consists of appeal petition,
Decree, Trial Report & Judgment. Other

received & written the file
Judge & Court & written
to Assistant that parties
have taken copies of plaint
& such other papers as the
require. In some files
there are minutes of the
proceedings & the Assistant
which it would not be proper

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ਮਿਤੀ 23-2-94 ਈ

ਦੀਵਾਨੀ ਅਪੀਲ ਨੰਬਰ 323

1893-4 ਦੀ ਦੀਵਾਨੀ ਅਪੀਲ ਨੰਬਰ

ਅਪੀਲ ਕਰਨ ਵਾਲੇ

ਬਨਾਮ

ਜਵਾਬ ਦੇਹ

ਅਪੀਲ ਕਰਨ ਵਾਲੇ ਵਲੋਂ ਵਕੀਲ ਹਾਜ਼ਰ

ਜਵਾਬ ਦੇਹ ਵਲੋਂ ਵਕੀਲ ਹਾਜ਼ਰ

The amildar in
reply submitted to the
Deputy Commissioner
2 Chittas of 1861 in which
it was stated that Giri-
yappa having failed to
do the Puja the lands
were given to Rangappa
who had agreed to do
it and said that order
no 116 quoted in these
was in the Alipore taluk
records which was not
received though a ya-
-dast had already been
written to the amildar
of the said taluk. The
brotherinlaw of the
Pujari had obtained
no power of attorney
but it would appear
that this Muchalika
was taken as he was
then doing the Puja in
the temple &c. Upon
this the order no 116 —
above alluded to was
not to be then had and

was subsequently dis-
posed of with an order
framed to the following
effect.

"The entries in the
Kannuri Jasti book of 1881-82
bearing on the point clearly
showed that the Pattadar
was only a trustee for the
temple and had no in-
dependent rights. His
alienation in favour of
his wife and her claims
could not be recognized.
The attachment of the
produce by the amildar
was therefore upheld
and the petition of Ran-
gamma rejected".

The present petition
of Rangamma is an
appeal to Government
against this order.

Asst. Commissioner
Nuzvid District

MM